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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,813	06/09/2001	Francis F. Cohan IV	1043.001US1	5045

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2677

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/681,813	Applicant(s) COGHAN, FRANCIS F.	
	Examiner Kimnhung Nguyen	Art Unit 2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Application has been examined. The claims 1-20 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 18, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Uminaga (JP patent 01-136225).

Regarding claim 18, Uminaga discloses in fig. 1, a pointing device comprising a finger glove (see glove shape, see abstract); means for detecting (see detector 2, see abstract) actuation by the user disposed within the finger glove; and means for detecting relative movement of the finger glove against an external surface external to the pointing device (see abstract, see a moving detecting allowing switch 3 is pushed by a thumb, the hand is moved in front and rear direction and left and right sides).

Regarding claim 20, Uminaga discloses further a means for registering the actuation by user and the relative movement detected with a computer (see abstract, see lines 8-13).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uminaga (JP 01-136225) in view of Vance et al. (US 2001/0040550).

Uminaga discloses the pointing device comprising a finger glove (see glove shape, see abstract); means for detecting (see detector 2, see abstract) actuation by the user disposed within the finger glove (see abstract). However, Uminaga does not disclose a second finger glove. Vance et al. discloses a second finger glove (114-120, fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of a second finger glove as taught by Vance et al. into the system of Uminaga because this would provide the different sensors are being activated dependent on the orientation of the finger tip relative to the surface.

5. Claims 1-4, 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (JP 08-054980) in view of Vance et al. (US 2001/0040550).

Regarding claim 1, Hayashi discloses in figures 1-2, a pointing device comprising a housing substantially shaped to fit a finger (2) of a user; and an optical sensor disposed within a surface of the housing, the optical sensor detecting relative movement of the surface of the housing along two axes therefore against a second external surface caused by relative movement of the finger of the user to cause a pointer on a screen of a computer to correspondingly move(see optical mouse (3) having optical sensor to detect the X and Y directions (see optical fiber from connection cable 3, and connected to finger 2 made of elastic material, abstract, see

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0017). However, Hayashi does not disclose a click sensor disposed within an underside of the housing, the click sensor actuated by the user pressing the underside of the housing through the finger against the first external surface with sufficient force. Vance et al. discloses in figs 1-3, a click sensor actuated by the user pressing the underside of the housing through the finger against the first external surface with sufficient force (see a magnetic reed switch mounted on index finger, see 0019). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of a click sensor through finger as taught by Vance et al. into the pointing device comprising a housing substantially shaped to fit finger of Hayashi because this would generate a specific signal corresponding to a stimulus sensed at a specific one of the locations.

Regarding claims 2-3, 6-7, Hayashi discloses in figures 1, a pointing device comprising a housing substantially shaped to fit a finger of a user as discussed in claim 1. Hayashi also discloses the pointing device; further comprising the grip used of tip of finger and the housing is from a flexible, glove-like material (see figures 1-2, see fingers 2, 4, 5 made of elastic material, see 0017).

Regarding claim 4, Hayashi discloses that the optical mouse having finger is an index finger (see forefinger 5, figure 1-2, see 0017).

Regarding claim 8, Hayashi discloses the second finger of the user is a middle finger of the user (see 0017).

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6. Claims 5, 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (08-054980) and Vance et al. (US 2001/0040550) as applied to claim 1 above, and further in view of Zloof (US 5,489,922).

Regarding claim 5, Hayashi and Vance et al. do not disclose a second housing. Zloof discloses a second housing (24, see figures 1-2) and a second click sensor (46) disposed within an underside of the second housing, the click sensor actuated by user pressing the underside of the second housing through the second finger against the first external surface with the sufficient force (see figure 7, column 5, lines 3-14, because the first and second housing are the same features).

Regarding claims 10 and 17, Hayashi and Vanve et al. do not disclose a wireless transceiver for wireless communication with a corresponding wireless transceiver of a computing device. Zloof discloses a wireless transceiver for wireless communication (12) with a corresponding wireless transceiver of a computing device (14

Regarding claim 11, Hayashi and Vance et al. do not disclose a second housing attachable to a wrist of the user and in which the wireless transceiver is disposed; and a cable connecting the second housing. Zloof discloses in figure 1-2, a second housing attachable to a wrist (64) of the user and in which the wireless transceiver is disposed; and a cable connecting the second housing (see column 5, lines 63-67).

Regarding claim 13, Hayashi and Vance et al. do not disclose the first external surface and the second external surface are the same surface. Zloof discloses the first external surface and the second external surface are the same surface.

Regarding claim 14, Hayashi and Vance et al. discloses in figures 1-2, an optical mouse (3) having optical sensor to detect the X and Y directions (see optical fiber from connection cable 3, and connected to finger 2 made of elastic material as discussed above. However, they do not disclose a second housing. Zloof discloses a second housing in fig. 1).

Regarding claim 15, Hayashi and Vance et al do not disclose grip situated at an end of each of the first and second housing. Zloof discloses an inherent grip situated at an end of each of the first and second housing (22, 24 because a grip should stick to the housing).

Regarding claims 9 and 16, Hayashi discloses in figure 1, a cable (3) ending in a connector for connection to a computing device, such that the actuation of the click sensor and relative movement detected by the optical sensor (see are registered with the computing device through the cable (see optical fiber from connection cable 3, and connected to finger 2 made of elastic material, abstract, see 0017).

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (JP 08-054980) in view of Vance et al. (US 2001/0040550) and Zloof (US patent 5,489,922) as applied to claims 1-11 above, and further in view of Iwasaki (Patent application Publication 2002/0024502).

Hayashi, Vance et al. and Zloof disclose a first and second housing shaped to fit a finger of user as discussed above. However, they do not disclose an expansion slot disposed within the second housing and receptive to a corresponding expansion card, data stored on which is accessible to the computing device through the wireless communication. Iwasaki disclose in figure 6, a mouse (40) having a slot (22a), and the storage medium 21 (expansion card) inserted

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or taken out of the housing. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a slot and the storage medium can be inserted into the housing of the mouse as taught Iwasaki into the system of Hayashi, Vance et al. and Zloof having second housing because this would record new data by the interchanging the card memory of the mouse system.


Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
August 19, 2005


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